

REMARKS/ARGUMENTS

Claims 19-21 are pending. By this Amendment, the specification is amended, claims 10-18 are canceled and claims 19-21 are added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

In the detailed Action, the title of the invention was objected to. By this Amendment, the title has been changed to "Footrest For A Stairlift Chair" in accordance with the Examiner's helpful suggestion. In addition, the disclosure was objected to based on a stated relation between a plane through axis 8 and the direction of travel of the stairlift. By this Amendment, that description has been eliminated from the specification at page 3, lines 7 and 8 and page 5, line 21.

In addition, the disclosure was objected to based on the description of the "fixing means". Applicants respectfully request reconsideration of this objection since the disclosure provides an adequate description of the fixing means between the foot rest and the bracket on which it is mounted. For example, at page 5, line 17, the fixing means is stated as being illustrated by lock bolts 21. These lock bolts are shown in Figures 2 and 3. Therefore, Applicants respectfully submit that one of ordinary skill in the art would readily understand this description and require no further explanation or guidance.

Furthermore, the drawings were objected to for reasons similar to the disclosure objections noted above. However, in view of the above amendments and explanations, Applicants respectfully request reconsideration and withdrawal of the specification and drawing objections.

Claims 16-18 were rejected under 35 U.S.C. §112, first paragraph. By this Amendment, claim 16 has been amended to eliminate the phrase "extending perpendicularly to the intended direction of travel of the chair" to obviate the rejection.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 10-14 were rejected under 35 U.S.C. §102(b) over Fortnam (U.S. Patent No. 3,820,844). This rejection is respectfully traversed in view of the cancellation of claims 10-18.

Claims 15-18 were rejected under 35 U.S.C. §103(a) over Bartelt (U.S. Patent No. 5,230,405) in view of Fortnam. This rejection is respectfully traversed.

Bartelt shows a stairlift configured to pass up and down a straight flight of stairs. In such an arrangement the design of the footrest is a straight-forward task because the minimum

clearance between the footrest and the staircase is always constant. There is therefore no demand for the present technology which was devised to address the clearance problems which arise in stairlift installations for staircases which change direction along their length. These problems are described in the Background section of the specification commencing at page 1, line 6. Accordingly a person skilled in the art, faced with the problem of configuring and positioning a stairlift footrest to prevent the footrest clashing with the staircase, would not look to Bartelt for guidance.

It is further submitted that a person of ordinary skill in the field of stairlifts would not seek guidance from Fortnam. Fortnam describes a dentist's chair having a rotating footrest. By applying a vertical load to the footrest, feet attached to the underside of the footrest are displaced down into contact with the floor, thus locking the chair in position. Given that the footrest of Fortnam is specifically designed to interfere with its surroundings, i.e. the floor on which the chair is supported, a person of ordinary skill in the field of stairlifts would not seek guidance from it when seeking a solution to the problem of interference with a staircase.

It is also noted that in Fortnam, the pivotal movement between the footrest and the chair is not restricted in any way. Even when the footrest is locked down into contact with the floor, the central post 16 of the chair can still rotate within the footrest. Such an arrangement would be wholly unsuitable for a stairlift footrest. Once a suitable position for a stairlift footrest has been determined, the footrest must be securely locked into position. This avoids the footrest moving itself into a position in which clashing might occur, and also imparts security and confidence to the stairlift user.

Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the above amendments and remarks, Applicants respectfully submit that all the claims are patentable and that the entire application is in condition for allowance.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140 under Order No. PTB-5091-6.

WOODHAMS
Appl. No. 10/590,447
October 9, 2009

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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